

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 20, 1958
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by CHAPLAIN CHARLES JACKLE, State Hospital Chaplain.

MISSES MARY WILLIAMS and CONNIE LOU THRUSH, Girl Scouts, Troop 88, invited the Council to the Celebration of the 46th Anniversary of the Girl Scouts, at 11:00 A.M., Saturday, March 22nd, at the Coliseum.

Councilman White moved that the Minutes of the Meeting of March 13, 1958, be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

MR. WILLIAM O. MITTAG appeared before the City Council regarding the one way streets on San Antonio Street, Nueces, and Rio Grande, and asked that action be postponed for three months until he and a group could have time to study the proposal. The Mayor read the recommendation of the Executive Committee of the Austin Citizens Safety Council. The Traffic Engineer gave statistics and reports on studies that have been made for several months back, and explained how the one-way street pattern would be beneficial. Those appearing requesting additional time for study were MR. WEBB, MR. HAIGHT, MR. BOB BOWMAN, and MR. JACKSON, businessmen in the area between 19th and 26th Streets and on San Antonio, Nueces, and Rio Grande. The Mayor set the matter for public hearing at 2:30 P.M., Thursday, March 27th, and asked that the Press, Radio and T.V. give this publicity. The Traffic Engineer furnished the group with a copy of the traffic count.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE FOLLOWING: FOUR LOTS LOCALLY KNOWN AS 5300 EVANS AVENUE AND 504-506 EAST 53RD STREET AND 5211 MARTIN AVENUE AND 701-703 EAST 53RD STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long asked that when the Safety Council sends in a report, that the Council be furnished copies.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THAT CERTAIN ALLEY TWENTY (20) FEET IN WIDTH TRAVERSING BLOCK 172 OF THE ORIGINAL CITY OF AUSTIN, IN THE

CITY OF AUSTIN, TRAVIS COUNTY, TEXAS TO PUBLIC
TRAVEL, RETAINING AN EASEMENT FOR PUBLIC UTILITIES
IN THE CITY OF AUSTIN; AND SUSPENDING THE RULE RE-
QUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE
DAYS.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain drainage easement, sixty (60) feet in width in, upon and across a part of Lot 54, Duval Heights, a subdivision of a portion of the James P. Wallace Survey No. 57, in the City of Austin, Travis County, Texas, was dedicated to the City of Austin, by an instrument dated August 1, 1951, of record in Volume 1201, at page 145, of the Deed Records of Travis County, Texas; and,

WHEREAS, the owner of Lot 54, Duval Heights, has requested the City of Austin to release a portion of said drainage easement; and,

WHEREAS, the hereinafter described portion of such drainage easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute a release of the drainage easement located on the hereinafter described strip of land, to wit:

5,464 square feet of land, same being out of and a part of
Lot 54, Duval Heights, a subdivision of a portion of the

James P. Wallace Survey No. 57 in the City of Austin, Travis County, Texas, according to a map or plat of the said Duval Heights of Record in Book 2, Page 189 of the Plat Records of Travis County, Texas, said 5,646 square feet of land being a portion of that certain strip of land sixty (60.00) feet in width dedicated to the City of Austin, Travis County, Texas, for drainageway easement by instrument dated August 1, 1951 of record in Volume 1201 at Page 145 of the Deed Records of Travis County, Texas and which 5,646 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the west line of Cameron Road, same being a point in the east line of the said Lot 54, Duval Heights and which point of beginning is at the northeast corner of said drainage easement sixty (60.00) feet in width;

THENCE, with the west line of Cameron Road, same being the east line of Lot 54, Duval Heights S. 49° 13' W. 16.97 feet to the southeast corner of the herein described tract of land and from which point the southeast corner of said Lot 54, Duval Heights bears S. 49° 13' W. 46.52 feet to a point and S. 48° 43' W. 0.16 feet;

THENCE, N. 59° 43' W. 399.79 feet to the southwest corner of the herein described tract of land, same being a point in the curving east right-of-way line of the Interregional Highway, said curve having an intersection angle of 21° 58', a tangent of 1131.51 feet and a radius of 5830.16 feet;

THENCE, following said curve to the left an arc distance of 12.05 feet the sub-chord of which arc bears No. 24° 18' E. 12.05 feet to the northwest corner of this tract, same being the northwest corner of the aforesaid drainage easement sixty (60.00) feet in width;

THENCE, with the north line of the said drainage easement sixty (60.00) feet in width same being the north line of this tract, S. 60° 17' E. 406.57 feet to the point of beginning.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Manager submitted the following:

"March 18, 1958

"W. T. Williams, Jr., City Manager

"Contract 58-C-9 - Construction of 4"
Compacted Flexible Base at New
T-Hangar Sites

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, March 18, 1958, for the construction of 4" compacted flexible base in the vicinity of the new T-Hangar sites at Municipal Airport Contract No. 58-C-9.

" McKown & Sons

\$10,075.20

Giesen & Latson Const. Co.

11,019.75

"C. H. Lester	\$12,279.15
Lee Maners	14,168.25
Dean Skinner	14,168.25
Ed H. Page	15,742.50
Raymond Canion & Company	20,465.25

"City's Estimate \$10,390.05

"I recommend that McKown & Sons with their low bid of \$10,075.20 be awarded the contract for this project.

"(Sgd) S. Reuben Rountree, Jr.
Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 18, 1958, for the construction of 4" compacted flexible base in the vicinity of the new T-Hangar sites at Municipal Airport, Contract No. 58-C-9; and,

WHEREAS, the bid of McKown & Sons in the sum of \$10,075.20 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of McKown & Sons in the sum of \$10,075.20 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with McKown & Sons.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Manager submitted the following:

"March 18, 1958

"W. T. Williams, Jr., City Manager

"Contract No. 58-D-8 - Storm Sewer in
Kinney Road Easement

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, March 18, 1958, for the construction of a storm sewer in Kinney Road Easement from West Bouldin Creek to South Lamar Boulevard - Contract No. 58-D-8.

"Lee Maners	\$17,236.55
Joe Bland Construction Co.	24,864.00
Karl B. Wagner Engr. Const. Inc.	25,567.45
Edd H. Page	26,580.00

"City's estimate \$22,464.00

"I recommend that Lee Maners with his low bid of \$17,236.55 be awarded the contract for this project.

"(Sgd) S. Reuben Rountree, Jr.
Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 18, 1958, for the construction of a storm sewer in Kinney Road Easement, from West Bouldin Creek to South Lamar Boulevard - Contract No. 58-D-8; and,

WHEREAS, the bid of Lee Maners in the sum of \$17,236.55 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Lee Maners in the sum of \$17,236.55 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Lee Maners.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The City Manager submitted the following:

"March 19, 1958

"Memo to: Mr. W. T. Williams, Jr.
City Manager

Subject: Tabulation of bids received for the construction of an Intake for Filter Plant No. 1. Bids received at 2:00 P.M., Tuesday, March 18, 1958. The following tabulation made by A. H. Ullrich.

Bidder	Base Bid	Alternate A, Add	Alternate B, Add	Total Bid	Working Days
J.M. Odom Austin, Texas	\$293,755.00	\$2,000.00	\$1,800.00	\$297,555.00	200
Broughton & Ericson, Dallas	348,907.00	2,100.00	1,800.00	352,807.00	275
Glade Constr.Co Ft.Worth	350,000.00	2,200.00	900.00	353,100.00	180
Austin Bldg.Co, Dallas	383,400.00	2,205.00	2,075.00	387,680.00	185
Sira & Payne, Dallas	389,500.00	2,500.00	2,100.00	394,100.00	240
B.L.McGee Constr Austin	447,000.00	6,094.00	1,165.00	454,259.00	250

"It is my recommendation that the contract be awarded to J. M. Odom, General Contractor, on his low bid of \$297,555.00.

"Our consulting engineer, Mr. C. G. Levander, concurs in this recommendation. Copy of his tabulation and recommendation is attached.

"Respectfully submitted,
(Sgd) A. H. Ullrich, Superintendent
Water & Sewage Treatment"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 18, 1958, for the construction of an Intake for Filter Plant No. 1; and,

WHEREAS, the bid of J. M. Odom in the sum of \$297,555.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by Seaholm & Levander, as Consulting Engineers, and by the Superintendent of Water & Sewage Treatment of the City of Austin, and by the City Manager; Now Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of J. M. Odom in the sum of \$297,555.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with J. M. Odom.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the northwest corner of the intersection of Barton Springs Road and West Riverside Drive, which property front 139.3 feet on Barton Springs Road, and 134 feet on west Riverside Drive, and is known as a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, and hereby authorizes the said W. L. Moore to construct, maintain, and operate a drive-in gasoline filling station and to construct curb, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans. The Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police.

Traffic, and Fire regulations; and the right of revocation is retained, if after hearing it is found by the City Council that the said W. L. Moore has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"March 20, 1958

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of W. L. Moore for permission to construct, maintain, and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the northwest corner of the intersection of Barton Springs Road and West Riverside Drive, which property fronts 139.3 feet on Barton Springs Road, and 134 feet on West Riverside Drive, and is known as a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by W. L. Moore and is to be leased to Continental Oil Company. We hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as C-2 Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street, and furthermore, shall not create a nuisance to others in the neighborhood. It is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall be discontinued, if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that W. L. Moore be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line; correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways; building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used, and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street, or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc., and that all construction of the filling station improvements shall be in accordance with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146.

"(5) That all filling station improvements pump islands, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan, hereto attached, which plan bears the Department of Public Works file number 2-H-1554.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2-H-1554, and shall be of the premoulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection, and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
Director of Public Works
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Manager brought up the request of the KNIGHTS OF COLUMBUS for water to their property on Dellana Tract opposite the Girl Scout Hut. The City Manager brought out agreements that he wanted to require, (that the Knights of Columbus furnish a letter agreeing to come inside the City limits without protest at such time the Council thought appropriate) and he stated that they understood there would be insufficient water for fire protection at this time. After discussion, Councilman Palmer moved that the request for water be granted. The motion, seconded by Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, Mayor Miller
Noes: Councilman White

The City Manager submitted the following:

"March 19, 1958

"Honorable Mayor & City Council
City of Austin
Austin, Texas

"Re: Work to be accomplished under
Ordinance No. 571205A - Passed
December 5, 1957

"In compliance with your directions given in the above ordinance, I file herewith my estimate of the cost of street improvements (curb, gutter and paving) on the following unit set out in said ordinance:

	<u>Curb & Gutter</u>	<u>Paving</u>	<u>Total</u>
Unit 21: West 35th Street, WPL Jefferson Street to Mount Bonnell Road	\$16,321.05	\$52,311.96	\$68,633.01

"Yours very truly,
(Sgd) S. Reuben Rountree, Jr.
S. Reuben Rountree, Jr.
Director of Public Works"

Councilman Long moved that the estimates of the Director of Public Works be accepted and ordered filed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Manager submitted the following:

"March 19, 1958

"Honorable Mayor & City Council
City of Austin
Austin, Texas

"Re: Work to be accomplished under
Ordinance No. 580116C - Passed
January 16, 1958

"In compliance with your directions given in the above ordinance, I file herewith my estimate of the cost of street improvements (curb, gutter and paving) on the following units set out in said ordinance:

	<u>Curb & Gutter</u>	<u>Paving</u>	<u>Total</u>
Unit 21: Cameron Road, header E.R. of W. Interregional Hwy. to S.R. of W. of Hwy. 290	\$15,120.90	\$47,887.64	\$63,008.54

	<u>Curb & Gutter</u>	<u>Paving</u>	<u>Total</u>
Unit 22: E. 51st St., EPL Interregional Hwy. to WPL Cameron Road	\$87.52	\$622.82	\$710.34

"Yours very truly,
(Sgd) S. Reuben Rountree, Jr.
S. Reuben Rountree, Jr.
Director of Public Works"

Councilman Long moved that the estimates of the Director of Public Works be accepted and ordered filed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, pursuant to the provisions of paragraph (a), of Article V of the contract between the City of Austin and Travis County Water Control and Improvement District No. 12, the said District has requested approval by the City of the sale of bonds authorized by its Bond Order passed by the Board of Directors of said District on February 14, 1958, for the issuance of \$700,000.00 of Bonds at interest rates not exceeding five (5%) per cent, per annum; and,

WHEREAS, it appears that such bonds proposed to be sold under such bond order meet the requirements of said contract between said City and said District; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City of Austin approve the sale of \$700,000.00 of the Bonds of Travis County Water Control and Improvement District No. 12 upon the terms and conditions prescribed by the Board of Directors of said District in its order therefor passed February 14, 1958.

The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Manager brought up for consideration a situation at the corner of the Rabb Tract on property owned by Mrs. Bullian. Mrs. Bullian wants to build a house, and the City Manager wanted to discuss whether or not the City should purchase the property. The Council wanted to drive by and make a personal inspection of the property.

The Mayor discussed a proposal in which the City was to receive some property in exchange of installing some drainage structures. The owners were to pay for the paving on Pecos Street. The Mayor stated all the City was going to do was to do the \$4,000 in work on the bridge. (On property adjacent to Reed Park owned by Mr. Sims, Mr. Brown, and Mrs. Bowman.)

The Mayor asked that a recommendation be made on the agreement filed by Mr. McClure, Mr. Patterson, and others on the drainage problems in connection with the Northeast Thoroughfare be brought in by next Thursday. The City Attorney stated the agreement had just been brought into his office and he had not yet looked into it.

The Council received the following:

"March 14, 1958

"The City Council
City of Austin
P. O. Box 1160
Austin, Texas

"Re: Corrective amendment under "C-1" -
Commercial Section

"It recently came to my attention that the provisions of Section 7 (C-1"-Commercial District) of the Zoning Ordinance are inconsistent, or at least ambiguous, with reference to the sale of beer and wine for off-premises consumption only. The purpose of this letter is to request consideration of a short corrective amendment which is set out below and the effect of which I will now explain briefly.

"Under the "C-1"-Commercial regulations as now written, the sale of either beer or wine is permitted in a restaurant for on-premise consumption, but the sale of these light beverages for off-premise consumption is limited to beer. It is difficult to believe that this was intentional when the ordinance was passed, and in fact, through a broad interpretation and actual practice, both beer and wine are sold for off-premise consumption by a number of non-restaurant businesses in "C-1"- Commercial zones in the City of Austin.

"We represent the Handy-Andy grocers who, as a regular merchandising policy, sell cooking and table wines, as well as beer, in all of their stores. This company operates more than 20 stores in San Antonio and in all of these locations they have the table and cooking wine department.

"It is suggested that the following brief amendment of paragraph 3 of Section 7 will correct the ambiguity or the inconsistency referred to:

"3. The sale of beer and wine, as defined by State Law, in cases or unbroken cartons containing not less than six (6) bottles or cans if beer and in the original bottles or containers if wine, for off-premise consumption."

"Respectfully submitted,
HOLLERS & O'QUINN
By (Sgd) Trueman O'Quinn
Trueman O'Quinn"

Councilman Long moved that the request of MR. TRUEMAN O'QUINN for consideration of amendment to the zoning text be referred to the Planning

Commission. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Public Hearing for this amendment was then set for 11:00 A.M., April 10, 1958.

MR. ROY A PRYOR appeared before the Council requesting permission to use the Coliseum for an amateur show without being sponsored by a non-profit organization. He had agreed at first to be sponsored and pay the organization \$15.00. It was brought out that he would have to comply with the Solicitation Ordinance, which required 25% of the receipts. Mr. Pryor did not want to use the name of a sponsor in connection with his amateur show which was scheduled at 7:30, April 4, 1958. After a lengthy discussion, Councilman Pearson moved that if Mr. Pryor complied with the governing ordinance that he be granted a permit. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

There being no further business, the Council adjourned at 1:00 P.M., subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk